

CHAPTER 132

APPROPRIATIONS — EDUCATION

H.F. 645

AN ACT relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters and for effective date, applicability provisions and retroactive applicability provisions.

Be It Enacted by the General Assembly of the State of Iowa:

DIVISION I
FY 2011-2012

DEPARTMENT FOR THE BLIND

Section 1. ADMINISTRATION. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,691,815
..... FTEs 88.00

2. For costs associated with universal access to audio information over the phone on demand for blind and print handicapped Iowans:

..... \$ 50,000

COLLEGE STUDENT AID COMMISSION

Sec. 2. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 232,943
..... FTEs 3.95

2. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program established in section 261.93:

..... \$ 791,177

3. DES MOINES UNIVERSITY — HEALTH CARE PROFESSIONAL RECRUITMENT PROGRAM

For forgivable loans to Iowa students attending Des Moines university — osteopathic medical center under the forgivable loan program pursuant to section 261.19:

..... \$ 325,973

4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

For purposes of providing national guard educational assistance under the program established in section 261.86:

..... \$ 3,186,233

5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM

For the teacher shortage loan forgiveness program established in section 261.112:

..... \$ 392,452

6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM

For purposes of the all Iowa opportunity foster care grant program established pursuant to section 261.6:

..... \$ 554,057

7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM

a. For purposes of the all Iowa opportunity scholarship program established pursuant to section 261.87:

..... \$ 2,240,854

b. If the moneys appropriated by the general assembly to the college student aid commission for fiscal year 2011-2012 for purposes of the all Iowa opportunity scholarship program exceed \$500,000, "eligible institution" as defined in section 261.87, shall, during fiscal year 2011-2012, include accredited private institutions as defined in section 261.9, subsection 1.

8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS PROGRAM

a. For purposes of the registered nurse and nurse educator loan forgiveness program established pursuant to section 261.23:

..... \$ 80,852

b. It is the intent of the general assembly that the commission continue to consider moneys allocated pursuant to this subsection as moneys that meet the state matching funds requirements of the federal leveraging educational assistance program and the federal supplemental leveraging educational assistance program established under the Higher Education Act of 1965, as amended.

9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT PROGRAM

For purposes of the barber and cosmetology arts and sciences tuition grant program established pursuant to section 261.18:

..... \$ 36,938

Sec. 3. CHIROPRACTIC LOAN FUNDS. Notwithstanding section 261.72, the moneys deposited in the chiropractic loan revolving fund created pursuant to section 261.72 may be used for purposes of the chiropractic loan forgiveness program established in section 261.73.

Sec. 4. WORK-STUDY APPROPRIATION FOR FY 2011-2012. Notwithstanding section 261.85, for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the amount appropriated from the general fund of the state to the college student aid commission for the work-study program under section 261.85 shall be zero.

DEPARTMENT OF EDUCATION

Sec. 5. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 5,913,812

..... FTEs 81.67

2. VOCATIONAL EDUCATION ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 449,276

..... FTEs 11.50

3. VOCATIONAL REHABILITATION SERVICES DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 4,963,168

..... FTEs 255.00

b. For matching funds for programs to enable persons with severe physical or mental disabilities to function more independently, including salaries and support, and for not more than the following full-time equivalent position:

..... \$ 39,128

..... FTEs 1.00

c. For the entrepreneurs with disabilities program established pursuant to section 259.4, subsection 9:

.....	\$	145,535
d. For costs associated with centers for independent living:		
.....	\$	40,294
4. STATE LIBRARY		
a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:		
.....	\$	1,209,619
.....	FTEs	17.00 ¹
b. For the enrich Iowa program established under section 256.57:		
.....	\$	1,674,227
5. LIBRARY SERVICE AREA SYSTEM		
For state aid:		
.....	\$	1,005,444
6. PUBLIC BROADCASTING DIVISION		
For salaries, support, maintenance, capital expenditures, miscellaneous purposes, and for not more than the following full-time equivalent positions:		
.....	\$	6,654,021
.....	FTEs	82.00
7. REGIONAL TELECOMMUNICATIONS COUNCILS		
For state aid:		
.....	\$	992,913
The regional telecommunications councils established in section 8D.5 shall use the moneys appropriated in this subsection to provide technical assistance for network classrooms, planning and troubleshooting for local area networks, scheduling of video sites, and other related support activities.		
8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS		
For reimbursement for vocational education expenditures made by secondary schools:		
.....	\$	2,630,134
Moneys appropriated in this subsection shall be used to reimburse school districts for vocational education expenditures made by secondary schools to meet the standards set in sections 256.11, 258.4, and 260C.14.		
9. SCHOOL FOOD SERVICE		
For use as state matching funds for federal programs that shall be disbursed according to federal regulations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:		
.....	\$	2,176,797
.....	FTEs	20.58
10. EARLY CHILDHOOD IOWA FUND — GENERAL AID		
For deposit in the school ready children grants account of the early childhood Iowa fund created in section 256I.11:		
.....	\$	5,386,113
a. From the moneys deposited in the school ready children grants account for the fiscal year beginning July 1, 2011, and ending June 30, 2012, not more than \$265,950 is allocated for the early childhood Iowa office and other technical assistance activities. The early childhood Iowa state board shall direct staff to work with the early childhood stakeholders alliance created in section 256I.12 to inventory technical assistance needs. Moneys allocated under this lettered paragraph may be used by the early childhood Iowa state board for the purpose of skills development and support for ongoing training of staff. However, except as otherwise provided in this subsection, moneys shall not be used for additional staff or for the reimbursement of staff.		
b. As a condition of receiving moneys appropriated in this subsection, each early childhood Iowa area board shall report to the early childhood Iowa state board progress on each of the local indicators approved by the area board. Each early childhood Iowa area board must also submit an annual budget for the area's comprehensive school ready children grant developed for providing services for children from birth through five years of age, and provide other		

¹ See chapter 124, §4 herein

information specified by the early childhood Iowa state board, including budget amendments as needed. The early childhood Iowa state board shall establish a submission deadline for the annual budget and any budget amendments that allow a reasonable period of time for preparation by the early childhood Iowa area boards and for review and approval or request for modification of the materials by the early childhood Iowa state board. In addition, each early childhood Iowa area board must continue to comply with reporting provisions and other requirements adopted by the early childhood Iowa state board in implementing section 256I.9.

c. Of the amount appropriated in this subsection for deposit in the school ready children grants account of the early childhood Iowa fund, \$2,318,018 shall be used for efforts to improve the quality of early care, health, and education programs. Moneys allocated pursuant to this paragraph may be used for additional staff and for the reimbursement of staff. The early childhood Iowa state board may reserve a portion of the allocation, not to exceed \$88,650, for the technical assistance expenses of the early childhood Iowa state office, including the reimbursement of staff, and shall distribute the remainder to early childhood Iowa areas for local quality improvement efforts through a methodology identified by the early childhood Iowa state board to make the most productive use of the funding, which may include use of the distribution formula, grants, or other means.

d. Of the amount appropriated in this subsection for deposit in the school ready children grants account of the early childhood Iowa fund, \$825,030 shall be used for support of professional development and training activities for persons working in early care, health, and education by the early childhood Iowa state board in collaboration with the professional development component group of the early childhood Iowa stakeholders alliance maintained pursuant to section 256I.12, subsection 7, paragraph “b”, and the early childhood Iowa area boards. Expenditures shall be limited to professional development and training activities agreed upon by the parties participating in the collaboration.

11. EARLY CHILDHOOD IOWA FUND — PRESCHOOL TUITION ASSISTANCE

a. For deposit in the school ready children grants account of the early childhood Iowa fund created in section 256I.11:

..... \$ 5,428,877

b. The amount appropriated in this subsection shall be used for early care, health, and education programs to assist low-income parents with tuition for preschool and other supportive services for children ages three, four, and five who are not attending kindergarten in order to increase the basic family income eligibility requirement to not more than 200 percent of the federal poverty level. In addition, if sufficient funding is available after addressing the needs of those who meet the basic income eligibility requirement, an early childhood Iowa area board may provide for eligibility for those with a family income in excess of the basic income eligibility requirement through use of a sliding scale or other copayment provisions.

12. EARLY CHILDHOOD IOWA FUND — FAMILY SUPPORT AND PARENT EDUCATION

a. For deposit in the school ready children grants account of the early childhood Iowa fund created in section 256I.11:

..... \$ 12,364,434

b. The amount appropriated in this subsection shall be used for family support services and parent education programs targeted to families expecting a child or with newborn and infant children through age five and shall be distributed using the distribution formula approved by the early childhood Iowa state board and shall be used by an early childhood Iowa area board only for family support services and parent education programs targeted to families expecting a child or with newborn and infant children through age five.

13. BIRTH TO AGE THREE SERVICES

For expansion of the federal Individuals with Disabilities Education Improvement Act of 2004, Pub. L. No. 108-446, as amended to January 1, 2011, birth through age three services due to increased numbers of children qualifying for those services:

..... \$ 1,721,400

From the moneys appropriated in this subsection, \$383,769 shall be allocated to the child health specialty clinic at the state university of Iowa to provide additional support for infants and toddlers who are born prematurely, drug-exposed, or medically fragile.

14. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide moneys for costs of providing textbooks to each resident pupil who attends a nonpublic school as authorized by section 301.1:

..... \$ 560,214

Funding under this subsection is limited to \$20 per pupil and shall not exceed the comparable services offered to resident public school pupils.

15. CORE CURRICULUM AND CAREER INFORMATION AND DECISION-MAKING SYSTEM

For purposes of implementing the statewide core curriculum for school districts and accredited nonpublic schools and a state-designated career information and decision-making system:

..... \$ 1,000,000

16. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

For purposes of the student achievement and teacher quality program established pursuant to chapter 284, and for not more than the following full-time equivalent positions:

..... \$ 4,785,000

..... FTEs 2.00

17. JOBS FOR AMERICA'S GRADUATES

For school districts to provide direct services to the most at-risk senior high school students enrolled in school districts through direct intervention by a jobs for America's graduates specialist:

..... \$ 40,000

18. COMMUNITY COLLEGES

a. For general state financial aid to merged areas as defined in section 260C.2 in accordance with chapters 258 and 260C:

..... \$ 163,774,647

Notwithstanding the allocation formula in section 260C.18C, the funds appropriated in this subsection shall be allocated as follows:

- (1) Merged Area I \$ 8,164,628
- (2) Merged Area II \$ 8,653,675
- (3) Merged Area III \$ 7,965,666
- (4) Merged Area IV \$ 3,913,107
- (5) Merged Area V \$ 9,010,347
- (6) Merged Area VI \$ 7,621,843
- (7) Merged Area VII \$ 11,387,434
- (8) Merged Area IX \$ 14,181,538
- (9) Merged Area X \$ 25,053,587
- (10) Merged Area XI \$ 25,338,428
- (11) Merged Area XII \$ 9,291,308
- (12) Merged Area XIII \$ 9,595,296
- (13) Merged Area XIV \$ 3,975,456
- (14) Merged Area XV \$ 12,456,924
- (15) Merged Area XVI \$ 7,165,410

b. For distribution to community colleges to supplement faculty salaries:

..... \$ 500,000

c. For deposit in the workforce training and economic development funds created pursuant to section 260C.18A:

..... \$ 5,000,000

Sec. 6. DEPARTMENT OF EDUCATION TRANSFERS. There is transferred between the following designated appropriations made to the department of education for the fiscal year beginning July 1, 2010, and ending June 30, 2011, not more than the following amounts:

From the appropriation made for purposes of the student achievement and teacher quality program in 2010 Iowa Acts, chapter 1183, section 6, subsection 18, as follows:

1. To the appropriation made for purposes of vocational education administration in 2010 Iowa Acts, chapter 1183, section 6, subsection 2:

..... \$ 110,521

2. To the appropriation made for purposes of vocational education to secondary schools in 2010 Iowa Acts, chapter 1183, section 6, subsection 8:

..... \$ 39,458

3. To the appropriation made for purposes of school food service in 2010 Iowa Acts, chapter 1183, section 6, subsection 9:

..... \$ 55,739

Notwithstanding section 8.33, moneys transferred pursuant to this section by the department of education that remain unencumbered or unobligated at the close of the fiscal year beginning July 1, 2010, and ending June 30, 2011, shall not revert but shall remain available for expenditure for the purposes designated until the close of the succeeding fiscal year.

STATE BOARD OF REGENTS

Sec. 7. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2011, and ending June 30, 2012, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,065,005

..... FTEs 15.00

The state board of regents shall submit a monthly financial report in a format agreed upon by the state board of regents office and the legislative services agency.

b. For moneys to be allocated to the southwest Iowa graduate studies center:

..... \$ 87,471

c. For moneys to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 22:

..... \$ 66,601

d. For moneys to be allocated to the quad-cities graduate studies center:

..... \$ 129,776

e. For moneys to be distributed to Iowa public radio for public radio operations:

..... \$ 391,568

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 209,737,311

..... FTEs 5,058.55

b. Oakdale campus

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,186,558

..... FTEs 38.25

c. State hygienic laboratory

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,536,716

..... FTEs 102.50

d. Family practice program

For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants to carry out the provisions of chapter 148D for the family practice program, including salaries and support, and for not more than the following full-time equivalent positions:

..... \$ 1,788,265

..... FTEs 190.40

e. Child health care services

For specialized child health care services, including childhood cancer diagnostic and treatment network programs, rural comprehensive care for hemophilia patients, and the Iowa high-risk infant follow-up program, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	659,456
.....	FTEs	57.97

f. Statewide cancer registry

For the statewide cancer registry, and for not more than the following full-time equivalent positions:

.....	\$	149,051
.....	FTEs	2.10

g. Substance abuse consortium

For moneys to be allocated to the Iowa consortium for substance abuse research and evaluation, and for not more than the following full-time equivalent position:

.....	\$	55,529
.....	FTEs	1.00

h. Center for biocatalysis

For the center for biocatalysis, and for not more than the following full-time equivalent positions:

.....	\$	723,727
.....	FTEs	6.28

i. Primary health care initiative

For the primary health care initiative in the college of medicine, and for not more than the following full-time equivalent positions:

.....	\$	648,930
.....	FTEs	5.89

From the moneys appropriated in this lettered paragraph, \$254,889 shall be allocated to the department of family practice at the state university of Iowa college of medicine for family practice faculty and support staff.

j. Birth defects registry

For the birth defects registry, and for not more than the following full-time equivalent position:

.....	\$	38,288
.....	FTEs	1.00

k. Larned A. Waterman Iowa nonprofit resource center

For the Larned A. Waterman Iowa nonprofit resource center, and for not more than the following full-time equivalent positions:

.....	\$	162,539
.....	FTEs	2.75

l. Iowa online advanced placement academy science, technology, engineering, and mathematics initiative

For the establishment of the Iowa online advanced placement academy science, technology, engineering, and mathematics initiative:

.....	\$	481,849
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3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	164,345,198
.....	FTEs	3,647.42

b. Agricultural experiment station

For the agricultural experiment station salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	28,111,877
.....	FTEs	546.98

c. Cooperative extension service in agriculture and home economics

For the cooperative extension service in agriculture and home economics salaries,

support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	17,936,722
.....	FTEs	383.34

d. Leopold center

For agricultural research grants at Iowa state university of science and technology under section 266.39B, and for not more than the following full-time equivalent positions:

.....	\$	397,417
.....	FTEs	11.25

e. Livestock disease research

For deposit in and the use of the livestock disease research fund under section 267.8:

.....	\$	172,845
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4. UNIVERSITY OF NORTHERN IOWA

a. General university

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	74,734,586
.....	FTEs	1,447.50

b. Recycling and reuse center

For purposes of the recycling and reuse center, and for not more than the following full-time equivalent positions:

.....	\$	175,256
.....	FTEs	3.00

c. Science, technology, engineering, and mathematics (STEM) collaborative initiative

For purposes of establishing a science, technology, engineering, and mathematics (STEM) collaborative initiative, and for not more than the following full-time equivalent positions:

.....	\$	1,734,656
.....	FTEs	6.20

(1) From the moneys appropriated in this lettered paragraph, up to \$282,000 shall be allocated for salaries, staffing, and institutional support. The remainder of the moneys appropriated in this lettered paragraph shall be expended only to support activities directly related to recruitment of kindergarten through grade 12 mathematics and science teachers and for ongoing mathematics and science programming for students enrolled in kindergarten through grade 12.

(2) The university of northern Iowa shall work with the community colleges to develop STEM professional development programs for community college instructors and STEM curriculum development.

d. Real estate education program

For purposes of the real estate education program, and for not more than the following full-time equivalent position:

.....	\$	125,302
.....	FTEs	1.00

5. STATE SCHOOL FOR THE DEAF

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	8,679,964
.....	FTEs	126.60

6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	3,618,931
.....	FTEs	62.87

7. TUITION AND TRANSPORTATION COSTS

For payment to local school boards for the tuition and transportation costs of students residing in the Iowa braille and sight saving school and the state school for the deaf pursuant to section 262.43 and for payment of certain clothing, prescription, and transportation costs for students at these schools pursuant to section 270.5:

..... \$ 11,763

8. LICENSED CLASSROOM TEACHERS

For distribution at the Iowa braille and sight saving school and the Iowa school for the deaf based upon the average yearly enrollment at each school as determined by the state board of regents:

..... \$ 82,049

Sec. 8. ENERGY COST-SAVINGS PROJECTS — FINANCING. For the fiscal year beginning July 1, 2011, and ending June 30, 2012, the state board of regents may use notes, bonds, or other evidences of indebtedness issued under section 262.48 to finance projects that will result in energy cost savings in an amount that will cause the state board to recover the cost of the projects within an average of six years.

Sec. 9. PRESCRIPTION DRUG COSTS. Notwithstanding section 270.7, the department of administrative services shall pay the state school for the deaf and the Iowa braille and sight saving school the moneys collected from the counties during the fiscal year beginning July 1, 2011, for expenses relating to prescription drug costs for students attending the state school for the deaf and the Iowa braille and sight saving school.

Sec. 10. Section 256I.9, subsection 2, Code 2011, is amended to read as follows:

2. The state board shall provide maximum flexibility to grantees for the use of the grant moneys included in a school ready children grant, including but not limited to authorizing an area board to use grant moneys to pay for regular audits required pursuant to section 256I.5, subsection 1, if moneys distributed to an area board for administrative costs are insufficient to pay for the required audits.

Sec. 11. Section 256I.9, subsection 3, paragraph b, Code 2011, is amended to read as follows:

b. Family support services and parent education programs promoted to parents of children from zero through age five. Family support services shall include but are not limited to home visitation. Of the state funding from all sources that an area board designates for family support programs, at least sixty percent shall be committed to programs with a home visitation component.

It is the intent of the general assembly that priority for home visitation program funding be given to programs using evidence-based or promising models for home visitation.

Sec. 12. Section 261.19, Code 2011, is amended to read as follows:

261.19 Osteopathic physician Health care professional recruitment program.

1. A physician health care professional recruitment program is established, to be administered by the college student aid commission, for Des Moines university — osteopathic medical center. The program shall consist of a forgivable loan program and a tuition scholarship program for students and a loan repayment program for physicians health care professionals. The commission shall regularly adjust the physician service requirement under each aspect of the program to provide, to the extent possible, an equal financial benefit for each period of service required.

2. ~~α. Notwithstanding the administration provisions of subsection 1, the forgivable loan program established pursuant to subsection 1 shall be administered by the commission in conjunction with Des Moines university — osteopathic medical center. Des Moines university — osteopathic medical center shall match on an equal basis state aid appropriated for purposes of the forgivable loan program.~~

b. Des Moines university — osteopathic medical center shall provide recommendations to the commission for students who meet the eligibility requirements of the forgivable loan program. A forgivable loan may be awarded to a resident of Iowa who is enrolled at Des Moines university — osteopathic medical center if the student agrees to practice in this state for a period of time to be determined by the commission at the time the loan is awarded. Forgivable loans to eligible students shall not become due until after the student completes a residency program. Interest on the loans shall begin to accrue the day following the student's graduation date. If the student completes the period of practice established by

~~the commission and agreed to by the student, the loan amount shall be forgiven. The loan amount shall not be forgiven if the osteopathic physician fails to complete the required time period of practice in this state or fails to satisfactorily continue in the university's program of medical education.~~

~~3. A student enrolled at Des Moines university — osteopathic medical center shall be eligible for a tuition scholarship for the student's study at the university. The scholarship shall be for an amount not to exceed the annual tuition at the university. A student who receives a tuition scholarship shall not be eligible for the loan repayment program provided for by this section. A student who receives a tuition scholarship shall agree to practice in an eligible rural community in this state for a period of time to be determined by the commission at the time the scholarship is awarded. The student shall repay the scholarship to the commission if the student fails to practice in a medically underserved rural community in this state for the required period of time.~~

~~4. A physician health care professional shall be eligible for the physician loan repayment program if the physician health care professional agrees to practice in an eligible rural community in this state. Des Moines university — osteopathic medical center shall recruit and place physicians health care professionals in rural communities which have agreed to provide additional funds for the physician's recipient's loan repayment. The contract for the loan repayment shall stipulate the time period the physician recipient shall practice in an eligible rural community in this state. In addition, the contract shall stipulate that the physician recipient repay any funds paid on the physician's recipient's loan by the commission if the physician recipient fails to practice in an eligible rural community in this state for the required period of time.~~

~~3. A health care professional recruitment revolving fund is created in the state treasury as a separate fund under the control of the commission. The commission shall deposit payments made by health care professional recruitment program recipients and the proceeds from the sale of osteopathic loans awarded pursuant to section 261.19, subsection 2, paragraph "b", Code 2011, into the health care professional recruitment revolving fund. Moneys credited to the fund shall be used to supplement moneys appropriated for the health care professional recruitment program, for loan repayment in accordance with this section, and to pay for loan or interest repayment defaults by program recipients. Notwithstanding section 8.33, any balance in the fund on June 30 of any fiscal year shall not revert to the general fund of the state.~~

~~4. For purposes of this subsection, "eligible section:~~

~~a. "Eligible rural community" means a medically underserved rural community which agrees to match state funds provided on at least a dollar-for-dollar basis for the loan repayment of a physician health care professional who practices in the community.~~

~~b. "Health care professional" means a physician, physician assistant, podiatrist, or physical therapist.~~

~~5. The commission shall adopt rules pursuant to chapter 17A to administer this section.~~

Sec. 13. Section 261.25, subsections 1, 2, and 3, Code 2011, are amended to read as follows:

1. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of ~~forty-four~~ forty-three million five hundred thirteen thousand four hundred forty-eight dollars for tuition grants.

2. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of four million ~~six hundred fifty thousand four hundred eighty-seven~~ dollars for tuition grants for students attending for-profit accredited private institutions located in Iowa. A for-profit institution which, effective March 9, 2005, or effective January 8, 2010, purchased an accredited private institution that was exempt from taxation under section 501(c) of the Internal Revenue Code, shall be an eligible institution under the tuition grant program. For purposes of the tuition grant program, "for-profit accredited private institution" means an accredited private institution which is not exempt from taxation under section 501(c)(3) of the Internal Revenue Code but which otherwise meets the requirements of section 261.9, subsection 1, paragraph "b", and whose students were eligible to receive tuition grants in the fiscal year beginning July 1, 2003.

3. There is appropriated from the general fund of the state to the commission for each fiscal year the sum of two million ~~four~~ two hundred ~~thirteen~~ fifty thousand ~~nine~~ one hundred ~~fifty-nine~~ eighty-five dollars for vocational-technical tuition grants.

Sec. 14. Section 261E.3, subsection 1, paragraph e, Code 2011, is amended to read as follows:

e. The student shall have demonstrated proficiency in reading, mathematics, and science as evidenced by achievement scores on the latest administration of the state assessment for which scores are available and as defined by the department. However, a student receiving competent private instruction under chapter 299A may demonstrate proficiency by submitting the written recommendation of the licensed practitioner providing supervision to the student in accordance with section 299A.2; may demonstrate proficiency as evidenced by achievement scores on the annual achievement evaluation required under section 299A.4; or may demonstrate proficiency as evidenced by a selection index, which is the sum of the critical reading, mathematics, and writing skills assessments, of at least one hundred forty-one on the preliminary scholastic aptitude test administered by the college board; a composite score of at least twenty-one on the college readiness assessment administered by ACT, inc.; or a sum of the critical reading and mathematics scores of at least nine hundred ninety on the college readiness assessment administered by the college board. If a student is not proficient in one or more of the content areas listed in this paragraph, has not taken the college readiness assessments identified in this paragraph, or has not achieved the scores specified in this paragraph, the school board may establish alternative but equivalent qualifying performance measures including but not limited to additional administrations of the state assessment, portfolios of student work, student performance rubric, or end-of-course assessments.

Sec. 15. Section 261E.9, subsections 1 through 3, Code 2011, are amended to read as follows:

1. a. A regional academy is a program established by a school district to which multiple school districts send students in grades ~~nine~~ seven through twelve, and which may include internet-based coursework and courses delivered via the Iowa communications network. A regional academy shall include in its curriculum advanced level courses and may include in its curriculum career and technical courses. A school district establishing a regional academy may collaborate and partner with, enter into an agreement pursuant to chapter 28E with, or enter into a contract with, one or more school districts, area education agencies, community colleges, accredited public and private postsecondary institutions, accredited nonpublic schools, businesses, and private agencies located within or outside of the state.

b. The purpose of a regional academy established pursuant to this section shall be to build a culture of innovation for students and community, to diversify educational and economic opportunities by engaging in learning experiences that involve students in complex, real-world projects, and to develop regional or global innovation networks.

c. If a school district establishing a regional academy in accordance with this section submits a plan to the department for approval that demonstrates how the regional academy will increase and assess student achievement or increase and assess competency-based learning opportunities for students, the department may waive or modify any statutory or regulatory provision applicable to school districts except the department shall not waive or modify any statutory or regulatory provision relating to requirements applicable to school districts under chapters 11, 21, 22, 216, 216A, 256B, 279, 284, and 285; or relating to contracts with and discharge of teachers and administrators under chapters 20 and 279; or relating to audit requirements under section 256.9, subsection 20, and section 279.29.

2. a. A regional academy course shall not qualify as a concurrent enrollment course include in its curriculum advanced level courses.

b. A regional academy may include in its curriculum virtual or internet-based coursework and courses delivered via the Iowa communications network, career and technical courses, core curriculum coursework, courses required pursuant to section 256.7, subsection 26, or section 256.11, subsections 4 and 5, and asynchronous learning networks.

3. School districts participating in regional academies are eligible for supplementary weighting as provided in section 257.11, subsection 2. The school districts participating in the regional academy shall enter into an agreement on how the funding generated by the supplementary weighting received shall be used and shall submit the agreement to the department for approval.

Sec. 16. Section 262.13, Code 2011, is amended to read as follows:

262.13 Security Peace officers at institutions as ~~peace officers.~~

The board may authorize any institution under its control to commission one or more of its employees as ~~special security peace officers.~~ ~~Special security officers~~ Such officers shall have the ~~same powers, duties, privileges, and immunities of as conferred on regular peace officers when acting in the interests of the institution by which they are employed.~~ The board shall provide as rapidly as practicable for the adequate training and certification of such ~~special security peace officers at the Iowa law enforcement academy or in an equivalent at a law enforcement training program school approved by the academy, unless they have the peace officers are already received such training certified by the Iowa law enforcement academy or by an approved law enforcement training school.~~

Sec. 17. Section 263.8A, Code 2011, is amended to read as follows:

263.8A International center for talented and gifted education — Iowa online advanced placement academy science, technology, engineering, and mathematics initiative.

1. *a.* The state board of regents shall establish and maintain at Iowa City as an integral part of the state university of Iowa the international center for talented and gifted education. The international center shall provide programs to assist classroom teachers to teach gifted and talented students in regular classrooms, provide programs to enhance the learning experiences of gifted and talented students, serve as a center for national and international symposiums and policy forums for enhancing the teaching of gifted and talented students, and undertake other appropriate activities to enhance the programs of the center, including, but not limited to, coordinating and working with the world council for gifted and talented children, incorporated.

b. An international center endowment fund is established at the state university of Iowa and gifts and grants to the international center and investment earnings and returns on the endowment fund shall be deposited in the fund and may be expended by the state university of Iowa for the purposes for which the international center was established.

2. The Iowa online advanced placement academy science, technology, engineering, and mathematics initiative is established within the international center for talented and gifted education at the state university of Iowa to deliver, with an emphasis on science, technology, engineering, and mathematics coursework, preadvanced placement and advanced placement courses to high school students throughout the state, provide training opportunities for teachers to learn how to teach advanced placement courses in Iowa's high schools, and provide preparation for middle school students to ensure success in high school.

Sec. 18. Section 279.51, subsection 2, Code 2011, is amended to read as follows:

2. *a.* Funds allocated under subsection 1, paragraph "b", shall be used by the child development coordinating council for the following:

~~*a.*~~ (1) To continue funding for programs previously funded by grants awarded under section 256A.3 and to provide additional grants under section 256A.3. The council shall seek to provide grants on the basis of the location within the state of children meeting at-risk definitions.

~~*b.*~~ (2) At the discretion of the child development coordinating council, award grants for the following:

(~~1~~) (~~a~~) To school districts to establish programs for three-year-old, four-year-old, and five-year-old at-risk children which are a combination of preschool and full-day kindergarten.

(~~2~~) (~~b~~) To provide grants to provide educational support services to parents of at-risk children age birth through three years.

b. A grantee under this subsection may direct the use of moneys received to serve any qualifying child ranging in age from three years old to five years old, regardless of the age

of population indicated on the grant request in its initial year of application. A grantee is encouraged to consider the degree to which the program complements existing programs and services for three-year-old, four-year-old, and five-year-old at-risk children available in the area, including other child care and preschool services, services provided through a school district, and services available through an area education agency.

Sec. 19. Section 284.13, subsection 1, paragraphs a through d, Code 2011, are amended to read as follows:

a. For the fiscal year beginning July 1, ~~2010~~ 2011, and ending June 30, ~~2011~~ 2012, to the department of education, the amount of ~~nine six hundred sixty-four~~ eighty-five thousand dollars for the issuance of national board certification awards in accordance with section 256.44. Of the amount allocated under this paragraph, not less than ~~seventy-six~~ eighty-five thousand ~~five hundred~~ dollars shall be used to administer the ambassador to education position in accordance with section 256.45.

b. For the fiscal year beginning July 1, ~~2010~~ 2011, and ~~succeeding fiscal years ending June 30, 2012~~, an amount up to ~~four two million one three hundred seven~~ ninety-five thousand ~~two hundred forty one hundred fifty-seven~~ dollars for first-year and second-year beginning teachers, to the department of education for distribution to school districts and area education agencies for purposes of the beginning teacher mentoring and induction programs. A school district or area education agency shall receive one thousand three hundred dollars per beginning teacher participating in the program. If the funds appropriated for the program are insufficient to pay mentors, school districts, and area education agencies as provided in this paragraph, the department shall prorate the amount distributed to school districts and area education agencies based upon the amount appropriated. Moneys received by a school district or area education agency pursuant to this paragraph shall be expended to provide each mentor with an award of five hundred dollars per semester, at a minimum, for participation in the school district's or area education agency's beginning teacher mentoring and induction program; to implement the plan; and to pay any applicable costs of the employer's share of contributions to federal social security and the Iowa public employees' retirement system or a pension and annuity retirement system established under chapter 294, for such amounts paid by the district or area education agency.

c. For the fiscal year beginning July 1, ~~2010~~ 2011, and ending June 30, ~~2011~~ 2012, up to six hundred ~~thirteen thousand eight hundred seventy-eight~~ dollars to the department for purposes of implementing the professional development program requirements of section 284.6, assistance in developing model evidence for teacher quality committees established pursuant to section 284.4, subsection 1, paragraph "c", and the evaluator training program in section 284.10. A portion of the funds allocated to the department for purposes of this paragraph may be used by the department for administrative purposes and for not more than four full-time equivalent positions.

d. For ~~each the~~ fiscal year in which funds are appropriated for purposes of this chapter beginning July 1, 2011, and ending June 30, 2012, an amount up to one million ~~six one hundred twenty-nine~~ four thousand six eight hundred ~~forty-seven~~ forty-three dollars to the department for the establishment of teacher development academies in accordance with section 284.6, subsection 10. A portion of the funds allocated to the department for purposes of this paragraph may be used for administrative purposes.

Sec. 20. Section 298.3, subsection 1, paragraph c, Code 2011, is amended to read as follows:

c. The purchase, lease, or lease-purchase of ~~a single unit of~~ equipment or technology exceeding five hundred dollars in value per ~~unit~~ purchase, lease, or lease-purchase transaction. Each transaction may include multiple equipment or technology units.

Sec. 21. Section 299A.2, Code 2011, is amended to read as follows:

299A.2 Competent private instruction by licensed practitioner.

If a licensed practitioner provides competent instruction to a school-age child of ~~compulsory attendance~~ age, the practitioner shall possess a valid license or certificate which has been issued by the state board of educational examiners under chapter 272 and

which is appropriate to the ages and grade levels of the children to be taught. Competent private instruction may include, but is not limited to, a home school assistance program which provides instruction or instructional supervision offered through an accredited nonpublic school or public school district by a teacher, who is employed by the accredited nonpublic school or public school district, who assists and supervises a parent, guardian, or legal custodian in providing instruction to a child. If competent private instruction is provided through a public school district, the child shall be enrolled and included in the basic enrollment of the school district as provided in section 257.6. Sections 299A.3 through 299A.7 do not apply to competent private instruction provided by a licensed practitioner under this section. However, the reporting requirement contained in section 299A.3, subsection 1, shall apply to competent private instruction provided by licensed practitioners that is not part of a home school assistance program offered through an accredited nonpublic school or public school district.

Sec. 22. Section 299A.8, Code 2011, is amended to read as follows:

299A.8 Dual enrollment.

If a parent, guardian, or legal custodian of a school-age child who is receiving competent private instruction under this chapter ~~or a child over compulsory age who is receiving private instruction~~ submits a request, the child shall also be registered in a public school for dual enrollment purposes. If the child is enrolled in a public school district for dual enrollment purposes, the child shall be permitted to participate in any academic activities in the district and shall also be permitted to participate on the same basis as public school children in any extracurricular activities available to children in the child's grade or group, and the parent, guardian, or legal custodian shall not be required to pay the costs of any annual evaluation under this chapter. If the child is enrolled for dual enrollment purposes, the child shall be included in the public school's basic enrollment under section 257.6. A pupil who is participating only in extracurricular activities shall be counted under section 257.6, subsection 1, paragraph "a", subparagraph (6). A pupil enrolled in grades nine through twelve under this section shall be counted in the same manner as a shared-time pupil under section 257.6, subsection 1, paragraph "a", subparagraph (3).

Sec. 23. Section 299A.12, subsection 1, Code 2011, is amended to read as follows:

1. The board of directors of a school district ~~may~~ shall expend moneys received pursuant to section 257.6, subsection 1, paragraph "a", subparagraph (5), for purposes of providing a home school assistance program.

Sec. 24. Section 299A.12, subsection 2, paragraphs a and b, Code 2011, are amended to read as follows:

- a. ~~Assisting Instruction for students and assisting parents with instruction.~~
- b. ~~Student Support services for students and teaching-parent support services teaching parents and staff support services.~~

Sec. 25. Section 299A.12, subsection 2, paragraph g, unnumbered paragraph 1, Code 2011, is amended to read as follows:

Resources, materials, computer software and hardware, ~~and~~ supplies, and purchased services that meet the following criteria:

Sec. 26. Section 299A.12, subsection 3, paragraphs b, c, e, and f, Code 2011, are amended to read as follows:

- b. ~~Operational or maintenance costs in addition to the cost of maintaining school district facilities other than those necessary to operate and maintain the program.~~
- c. ~~Capital expenditures other than equipment or facility acquisition, including the lease or rental of space to supplement existing schoolhouse facilities.~~
- e. ~~Administrative costs other than the costs necessary to administer the program.~~
- f. ~~Concurrent and dual enrollment program costs and postsecondary enrollment options program costs.~~

Sec. 27. REPEAL. Section 261.19B, Code 2011, is repealed.

Sec. 28. EFFECTIVE UPON ENACTMENT AND RETROACTIVE APPLICABILITY. The section of this Act transferring moneys appropriated pursuant to 2010 Iowa Acts, chapter 1183, section 6, subsection 18, being deemed of immediate importance, takes effect upon enactment, and if approved by the governor on or after July 1, 2011, shall apply retroactively to June 30, 2011.

Sec. 29. EFFECTIVE DATE AND APPLICABILITY. The section of this division of this Act amending section 261E.9, subsections 1 through 3, takes effect July 1, 2012, and is applicable to school years beginning on or after July 1, 2012.

Sec. 30. APPLICABILITY. The section of this division of this Act that amends section 298.3 applies to school budget years beginning on or after July 1, 2011.

Sec. 31. RETROACTIVE APPLICABILITY. The sections of this Act amending sections 299A.2 and 299A.8 apply retroactively to the base year beginning July 1, 2009.

DIVISION II
MIDWESTERN HIGHER EDUCATION COMPACT
FY 2010-2011, FY 2011-2012, AND FY 2012-2013

Sec. 32. There is appropriated from the general fund of the state to the department of education for the following fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

To be distributed to the midwestern higher education compact to pay Iowa’s member state annual obligation:

FY 2010-2011	\$	39,000
FY 2011-2012	\$	100,000
FY 2012-2013	\$	50,000

Notwithstanding section 8.33, moneys appropriated in this section, to the department of education for purposes of paying Iowa’s member state annual obligation under the midwestern higher education compact, that remain unencumbered or unobligated at the close of the fiscal year beginning July 1, 2010, and ending June 30, 2011, shall not revert but shall remain available for expenditure for the purpose designated until the close of the succeeding fiscal year.

Sec. 33. REPEAL. Section 261D.4, Code 2011, is repealed.

Sec. 34. EFFECTIVE UPON ENACTMENT AND RETROACTIVE APPLICABILITY. This division of this Act, being deemed of immediate importance, takes effect upon enactment, and if approved by the governor on or after July 1, 2011, shall apply retroactively to June 30, 2011.

DIVISION III
LIBRARY PROVISIONS

Sec. 35. Section 8A.454, subsection 2, Code 2011, is amended to read as follows:

2. A monthly per contract administrative charge shall be assessed by the department on all health insurance plans administered by the department in which the contract holder has a state employer to pay the charge. The amount of the administrative charge shall be established by the general assembly. The department shall collect the administrative charge from each department utilizing the centralized payroll system and shall deposit the proceeds in the fund. In addition, the state board of regents, ~~all library service areas~~, the state fair board, the state department of transportation, and each judicial district department of correctional services shall remit the administrative charge on a monthly basis to the department and shall submit a report to the department containing the number and type of health insurance contracts held by each of its employees whose health insurance is administered by the department.

Sec. 36. Section 8D.2, subsection 5, paragraph a, Code 2011, is amended to read as follows:

a. “Public agency” means a state agency, an institution under the control of the board of regents, the judicial branch as provided in section 8D.13, subsection 16, a school corporation, a city library, ~~a library service area as provided in chapter 256~~, a county library as provided in chapter 336, or a judicial district department of correctional services established in section 905.2, to the extent provided in section 8D.13, subsection 14, an agency of the federal government, or a United States post office which receives a federal grant for pilot and demonstration projects.

Sec. 37. Section 8D.9, subsection 1, Code 2011, is amended to read as follows:

1. A private or public agency, other than a state agency, local school district or nonpublic school, city library, ~~library service area~~, county library, judicial branch, judicial district department of correctional services, agency of the federal government, a hospital or physician clinic, or a post office authorized to be offered access pursuant to this chapter as of May 18, 1994, shall certify to the commission no later than July 1, 1994, that the agency is a part of or intends to become a part of the network. Upon receiving such certification from an agency not a part of the network on May 18, 1994, the commission shall provide for the connection of such agency as soon as practical. An agency which does not certify to the commission that the agency is a part of or intends to become a part of the network as required by this subsection shall be prohibited from using the network.

Sec. 38. Section 8D.11, subsection 4, Code 2011, is amended to read as follows:

4. A political subdivision receiving communications services from the state as of April 1, 1986, may continue to do so but communications services shall not be provided or resold to additional political subdivisions other than a school corporation, a city library, ~~a library service area as provided in chapter 256~~, and a county library as provided in chapter 336. The rates charged to the political subdivision shall be the same as the rates charged to state agencies.

Sec. 39. Section 12C.1, subsection 1, Code 2011, is amended to read as follows:

1. All funds held by the following officers or institutions shall be deposited in one or more depositories first approved by the appropriate governing body as indicated: for the treasurer of state, by the executive council; for judicial officers and court employees, by the supreme court; for the county treasurer, recorder, auditor, and sheriff, by the board of supervisors; for the city treasurer or other designated financial officer of a city, by the city council; for the county public hospital or merged area hospital, by the board of hospital trustees; for a memorial hospital, by the memorial hospital commission; for a school corporation, by the board of school directors; for a city utility or combined utility system established under chapter 388, by the utility board; ~~for a library service area established under chapter 256, by the library service area board of trustees~~; and for an electric power agency as defined in section 28F.2 or 390.9, by the governing body of the electric power agency. However, the treasurer of state and the treasurer of each political subdivision or the designated financial officer of a city shall invest all funds not needed for current operating expenses in time certificates of deposit in approved depositories pursuant to this chapter or in investments permitted by section 12B.10. The list of public depositories and the amounts severally deposited in the depositories are matters of public record. This subsection does not limit the definition of “public funds” contained in subsection 2. Notwithstanding provisions of this section to the contrary, public funds of a state government deferred compensation plan established by the executive council may also be invested in the investment products authorized under section 509A.12.

Sec. 40. Section 218.22, Code 2011, is amended to read as follows:

218.22 Record privileged.

Except with the consent of the administrator in charge of an institution, or on an order of a court of record, the record provided in section 218.21 shall be accessible only to the administrator of the division of the department of human services in control of such institution, the director of the department of human services and to assistants and proper

clerks authorized by such administrator or the administrator's director. The administrator of the division of such institution is authorized to permit the division of ~~libraries and information~~ library services of the department of education and the historical division of the department of cultural affairs to copy or reproduce by any photographic, photostatic, microfilm, microcard or other process which accurately reproduces a durable medium for reproducing the original and to destroy in the manner described by law such records of residents designated in section 218.21.

Sec. 41. Section 256.7, unnumbered paragraph 1, Code 2011, is amended to read as follows:

Except for the college student aid commission, the commission of libraries and division of library services, and the public broadcasting board and division, the state board shall:

Sec. 42. Section 256.7, subsection 17, Code 2011, is amended to read as follows:

17. Receive and review the budget and unified plan of service submitted by the division of ~~libraries and information~~ library services.

Sec. 43. Section 256.9, unnumbered paragraph 1, Code 2011, is amended to read as follows:

Except for the college student aid commission, the commission of libraries and division of library services, and the public broadcasting board and division, the director shall:

Sec. 44. Section 256.50, subsection 2, Code 2011, is amended to read as follows:

2. "Division" means the division of ~~libraries and information~~ library services of the department of education.

Sec. 45. Section 256.51, subsection 1, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The division of ~~libraries and information~~ library services is ~~established within~~ attached to the department of education for administrative purposes. The state librarian shall be responsible for the division's budgeting and related management functions in accordance with section 256.52, subsection 3. The division shall do all of the following:

Sec. 46. Section 256.51, subsection 1, Code 2011, is amended by adding the following new paragraphs:

NEW PARAGRAPH. 0a. Provide support services to libraries, including but not limited to consulting, continuing education, interlibrary loan services, and references services to assure consistency of service statewide and to encourage local financial support for library services.

NEW PARAGRAPH. 1. Allow a public library that receives state assistance under section 256.57, or financial support from a city or county pursuant to section 256.69, to dispose of, through sale, conveyance, or exchange, any library materials that may be obsolete or worn out or that may no longer be needed or appropriate to the mission of the public library. These materials may be sold by the public library directly or the governing body of the public library may sell the materials by consignment to a public agency or to a private agency organized to raise funds solely for support of the public library. Proceeds from the sale of the library materials may be remitted to the public library and may be used by the public library for the purchase of books and other library materials or equipment, or for the provision of library services.

Sec. 47. Section 256.51, subsection 1, paragraph d, Code 2011, is amended to read as follows:

d. Develop, in consultation with the ~~library service areas and the area education agency media centers~~, a biennial unified plan of service and service delivery for the division of ~~libraries and information~~ library services.

Sec. 48. Section 256.51, subsection 1, paragraph j, Code 2011, is amended to read as follows:

j. Establish and administer standards for state agency libraries, ~~the library service areas,~~ and public libraries.

Sec. 49. Section 256.51, subsection 1, paragraph k, Code 2011, is amended by striking the paragraph.

Sec. 50. Section 256.51, subsection 2, paragraph c, Code 2011, is amended to read as follows:

c. Accept gifts, contributions, bequests, endowments, or other moneys, including but not limited to the Westgate endowment fund, for any or all purposes of the division. Interest earned on moneys accepted under this paragraph shall be credited to the fund or funds to which the gifts, contributions, bequests, endowments, or other moneys have been deposited, and is available for any or all purposes of the division. The division shall report annually to the ~~director~~ commission and the general assembly regarding the gifts, contributions, bequests, endowments, or other moneys accepted pursuant to this paragraph and the interest earned on them.

Sec. 51. Section 256.52, subsection 1, Code 2011, is amended to read as follows:

1. a. The state commission of libraries consists of one member appointed by the supreme court, the director of the department of education, or the director's designee, and ~~six~~ the following seven members who shall be appointed by the governor to serve four-year terms beginning and ending as provided in section 69.19. ~~The governor's appointees shall~~

(1) Two members shall be employed in the state as public librarians.

(2) One member shall be a public library trustee.

(3) One member shall be employed in this state as an academic librarian.

(4) One member shall be employed as a librarian by a school district or area education agency.

(5) Two members shall be selected at large.

b. The members shall be reimbursed for their actual expenditures necessitated by their official duties. Members may also be eligible for compensation as provided in section 7E.6.

Sec. 52. Section 256.52, subsection 3, paragraph b, subparagraphs (1) and (4), Code 2011, are amended to read as follows:

(1) ~~Direct and organize the activities of~~ Organize, staff, and administer the division so as to render the greatest benefit to libraries in the state.

(4) Appoint and approve the technical, professional, ~~excepting the law librarian,~~ secretarial, and clerical staff necessary to accomplish the purposes of the division subject to chapter 8A, subchapter IV.

Sec. 53. Section 256.52, subsection 3, paragraph b, Code 2011, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (4A) (a) Assume all of the outstanding obligations of the library service areas and be liable for and recognize, assume, and carry out all valid contracts and obligations of the library service areas that are consolidated under the commission and administered by the division effective beginning July 1, 2011. Each library service area shall transfer, prior to July 1, 2011, its state-funded assets and title to any state-funded real estate owned by the library service area to the state librarian. In the event that the remaining assets and liabilities cannot be transferred to the state librarian, the board of directors of a library service area shall liquidate all assets, settle existing liabilities, and transfer remaining moneys to the general fund of the state. In addition, all fund balances from appropriations of state funds allocated to the library service areas remaining unobligated and unencumbered on the date of the transfer shall be transferred to the general fund of the state.

(b) This subparagraph is repealed July 1, 2015.

Sec. 54. Section 256.52, subsection 5, Code 2011, is amended to read as follows:

5. The commission shall receive and approve the budget and unified plan of service submitted by the division ~~of libraries and information services~~.

Sec. 55. Section 256.54, subsection 1, Code 2011, is amended to read as follows:

1. The state library includes but is not limited to ~~a law library~~ the library support network, the specialized library services unit, and the state data center. The law library shall be under the direction of the specialized library services unit.

Sec. 56. Section 256.54, subsection 2, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The law library shall be administered by a law librarian appointed by the ~~director~~ state librarian subject to chapter 8A, subchapter IV, who shall do all of the following:

Sec. 57. Section 256.55, unnumbered paragraph 1, Code 2011, is amended to read as follows:

A state data center is established in the ~~department of education~~ division. The state data center shall be administered by the state data center coordinator, who shall do all of the following:

Sec. 58. **NEW SECTION. 256.58 Library support network.**

1. A library support network is established in the division to offer services and programs for libraries, including but not limited to individualized, locally delivered consulting and training, and to facilitate resource sharing and innovation through the use of technology, administer enrich Iowa programs, advocate for libraries, promote excellence and innovation in library services, encourage governmental subdivisions to provide local financial support for local libraries, and ensure the consistent availability of quality service to all libraries throughout the state, regardless of location or size.

2. The organizational structure to deliver library support network services shall include district offices. The district offices shall serve as a basis for providing field services to local libraries in the counties comprising the district. The division shall determine which counties are served by each district office. The number of district offices established to provide services pursuant to this section shall be six.

Sec. 59. **NEW SECTION. 256.59 Specialized library services.**

The specialized library services unit is established in the division to provide information services to the three branches of state government and to offer focused information services to the general public in the areas of Iowa law, Iowa state documents, and Iowa history and culture.

Sec. 60. **NEW SECTION. 256.62 Library services advisory panel.**

1. The state librarian shall convene a library services advisory panel to advise and recommend to the commission and the division evidence-based best practices, to assist the commission and division to determine service priorities and launch programs, articulate the needs and interests of Iowa librarians, and share research and professional development information.

2. The library services advisory panel shall consist of no fewer than eleven members representing libraries of all sizes and types, and various population levels and geographic regions of the state. A simple majority of the members appointed shall be appointed by the executive board of the Iowa library association and the remaining members shall be appointed by the state librarian. Terms of members shall begin and end as provided in section 69.19. Any vacancy shall be filled in the same manner as regular appointments are made for the unexpired portion of the regular term. Members shall serve four-year terms which are staggered at the discretion of the state librarian. A member is eligible for reappointment for three successive terms. The members shall elect a chairperson annually.

3. The library services advisory panel shall meet at least twice annually and shall submit its recommendations in a report to the commission and the state librarian at least once annually.

The report shall be timely submitted to allow for consideration of the recommendations prior to program planning and budgeting for the following fiscal year.

4. Members of the library services advisory panel shall receive actual and necessary expenses incurred in the performance of their duties. Expenses shall be paid from funds appropriated to the department for purposes of the division.

Sec. 61. Section 256.70, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The division of ~~libraries and information~~ library services of the department of education is hereby authorized to enter into interstate library compacts on behalf of the state of Iowa with any state bordering on Iowa which legally joins therein in substantially the following form and the contracting states agree that:

Sec. 62. Section 256.71, Code 2011, is amended to read as follows:

256.71 Administrator.

The administrator of the division of ~~libraries and information~~ library services shall be the compact administrator. The compact administrator shall receive copies of all agreements entered into by the state or its political subdivisions and other states or political subdivisions; consult with, advise and aid such governmental units in the formulation of such agreements; make such recommendations to the governor, legislature, governmental agencies and units as the administrator deems desirable to effectuate the purposes of this compact and consult and ~~co-operate~~ cooperate with the compact administrators of other party states.

Sec. 63. Section 273.2, subsection 4, Code 2011, is amended to read as follows:

4. The area education agency board shall provide for special education services and media services for the local school districts in the area and shall encourage and assist school districts in the area to establish programs for gifted and talented children. The board shall assist in facilitating interlibrary loans of materials between school districts and other libraries. ~~Each area education agency shall include as a member of its media center advisory committee a library service area trustee or library service area staff member, who is appointed to the committee by the commission of libraries.~~

Sec. 64. Section 669.2, subsection 5, Code 2011, is amended to read as follows:

5. "State agency" includes all executive departments, agencies, boards, bureaus, and commissions of the state of Iowa, and corporations whose primary function is to act as, and while acting as, instrumentalities or agencies of the state of Iowa, whether or not authorized to sue and be sued in their own names. This definition does not include a contractor with the state of Iowa. Soil and water conservation districts as defined in section 161A.3, subsection 6, and judicial district departments of correctional services as established in section 905.2, and library service area boards of trustees as established in chapter 256 are state agencies for purposes of this chapter.

Sec. 65. Section 904.601, unnumbered paragraph 1, Code 2011, is amended to read as follows:

The director shall keep the following record of every person committed to any of the department's institutions: Name, residence, sex, age, place of birth, occupation, civil condition, date of entrance or commitment, date of discharge, whether a discharge is final, condition of the person when discharged, the name of the institutions from which and to which the person has been transferred, and if the person is dead, the date and cause of death. The director may permit the division of ~~libraries and information~~ library services of the department of education and the historical division of the department of cultural affairs to copy or reproduce by any photographic, photostatic, microfilm, microcard, or other process which accurately reproduces in a durable medium and to destroy in the manner described by law the records of inmates required by this paragraph.

Sec. 66. REPEAL. Sections 256.60, 256.61, 256.66 through 256.68, Code 2011, are repealed.

Sec. 67. TRANSITION PROVISION. A governor's appointee serving on the state commission of libraries on the effective date of this Act shall continue to serve as a member of the commission until the appointee's term expires.

Sec. 68. LIBRARY SERVICE AREA EMPLOYEES — LENGTH OF SERVICE — TRANSFER OF PERSONNEL RECORDS.

1. The length of service of a permanent employee of a library service area who is employed by a library service area on June 30, 2011, and who is hired by the division of library services on or after July 1, 2011, shall be prorated and credited as state employment service for purposes of vacation and sick leave accrual.

2. The area administrator of each library service area shall submit to the division of library services the personnel records of each permanent full-time employee of the library service area by July 1, 2011.

Sec. 69. EFFECTIVE UPON ENACTMENT AND RETROACTIVE APPLICABILITY. The section of this division of this Act enacting section 256.52, subsection 3, paragraph "b", subparagraph (4A), being deemed of immediate importance, takes effect upon enactment, and if approved by the governor on or after July 1, 2011, shall apply retroactively to June 30, 2011.

DIVISION IV PATHWAYS FOR ACADEMIC CAREER AND EMPLOYMENT PROGRAM

Sec. 70. Section 260C.18A, subsection 2, Code 2011, is amended by adding the following new paragraphs:

NEW PARAGRAPH. g. Development and implementation of pathways for academic career and employment programs under chapter 260H.

NEW PARAGRAPH. h. Development and implementation of programs for the gap tuition assistance program under chapter 260I.

NEW PARAGRAPH. i. Entrepreneurial education, small business assistance, and business incubators.

Sec. 71. NEW SECTION. 260H.1 Title.

This chapter shall be known and may be cited as the "*Pathways for Academic Career and Employment Act*".

Sec. 72. NEW SECTION. 260H.2 Pathways for academic career and employment program.

A pathways for academic career and employment program is established to provide funding to community colleges for the development of projects in coordination with the department of economic development, the department of education, Iowa workforce development,² regional advisory boards established pursuant to section 84A.4, and community partners to implement a simplified, streamlined, and comprehensive process, along with customized support services, to enable eligible participants to acquire effective academic and employment training to secure gainful, quality, in-state employment.

Sec. 73. NEW SECTION. 260H.3 Eligibility criteria.

1. Projects eligible for funding for the pathways for academic career and employment program shall be projects that further the ability of members of target populations to secure gainful, quality employment. For the purposes of this chapter, "*target population*" includes:

a. Persons deemed low skilled for the purposes of attaining gainful, quality, in-state employment.

b. Persons earning incomes at or below two hundred percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

c. Unemployed persons.

² According to enrolled Act, the phrase "department of workforce development" probably intended

d. Underemployed persons.

e. Dislocated workers, including workers eligible for services and benefits under the federal Trade Adjustment Act of 2002, Pub. L. No. 107-210, as determined by the department of workforce development and the federal internal revenue service.

2. Projects eligible for funding for the pathways for academic career and employment program shall be projects that further partnerships that link the community colleges to industry and nonprofit organizations and projects that further program outcomes as provided in section 260H.4.

Sec. 74. NEW SECTION. 260H.4 Program outcomes.

Projects eligible for funding for the pathways for academic career and employment program shall be programs which further the following program outcomes:

1. Enabling the target populations to:

- a. Acquire and demonstrate competency in basic skills.
- b. Acquire and demonstrate competency in a specified technical field.
- c. Complete a specified level of postsecondary education.
- d. Earn a national career readiness certificate.
- e. Obtain employer-validated credentials.
- f. Secure gainful employment in high-quality, local jobs.

2. Satisfaction of economic and employment goals including but not limited to:

a. Economic and workforce development requirements in each region served by the community colleges as defined by regional advisory boards established pursuant to section 84A.4.

b. Needs of industry partners in areas including but not limited to:

- (1) Information technology.
- (2) Health care.
- (3) Advanced manufacturing.
- (4) Transportation and logistics.

c. Any other industry designated as in-demand by a regional advisory board established pursuant to section 84A.4.

Sec. 75. NEW SECTION. 260H.5 Program component requirements.

Program components of a pathways for academic career and employment project implemented at a community college shall:

1. Include measurable and effective recruitment, assessment, and referral activities designed for the target populations.

2. Integrate basics skills and work-readiness training with occupational skills training.

3. Combine customized supportive and case management services with training services to help participants overcome barriers to employment.

4. Provide training services at times, locations, and through multiple, flexible modalities that are easily understood and readily accessible to the target populations. Such modalities shall support timeless entry, individualized learning, and flexible scheduling, and may include online remediation, learning lab and cohort learning communities, tutoring, and modularization.

Sec. 76. NEW SECTION. 260H.6 Pipeline program.

Each community college receiving funding for the pathways for academic career and employment program shall develop a pipeline program in order to better serve the academic, training, and employment needs of the target populations. A pipeline program shall have the following goals:

1. To strengthen partnerships with community-based organizations and industry representatives.

2. To improve and simplify the identification, recruitment, and assessment of qualified participants.

3. To conduct and manage an outreach, recruitment, and intake process, along with accompanying support services, reflecting sensitivity to the time and financial constraints and remediation needs of the target populations.

4. To conduct orientations for qualified participants to describe regional labor market opportunities, employer partners, and program requirements and expectations.

5. To describe the concepts of the project implemented with funds from the pathways for academic career and employment program and the embedded educational and support resources available through such project.

6. To outline the basic skills participants will learn and describe the credentials participants will earn.

7. To describe success milestones and ways in which temporal and instructional barriers have been minimized or eliminated.

8. To review how individualized and customized service strategies for participants will be developed and provided.

Sec. 77. NEW SECTION. 260H.7 Career pathways and bridge curriculum development program.

Each community college receiving funding for the pathways for academic career and employment program shall develop a career pathways and bridge curriculum development program in order to better serve the academic, training, and employment needs of the target populations. A career pathways and bridge curriculum development program shall have the following goals:

1. The articulation of courses and modules, the mapping of programs within career pathways, and establishment of bridges between credit and noncredit programs.

2. The integration and contextualization of basic skills education and skills training. This process shall provide for seamless progressions between adult basic education and general education development programs and continuing education and credit certificate, diploma, and degree programs.

3. The development of career pathways that support the attainment of industry-recognized credentials, diplomas, and degrees through stackable, modularized program delivery.

Sec. 78. NEW SECTION. 260H.8 Rules.

The department of education, in consultation with the community colleges, the department of economic development, and Iowa workforce development,³ shall adopt rules pursuant to chapter 17A and this chapter to implement the provisions of this chapter. Regional advisory boards established pursuant to section 84A.4 shall be consulted in the development and implementation of rules to be adopted pursuant to this chapter.

Sec. 79. NEW SECTION. 260I.1 Title.

This chapter shall be known and may be cited as the “*Gap Tuition Assistance Act*”.

Sec. 80. NEW SECTION. 260I.2 Gap tuition assistance program.

A gap tuition assistance program is established to provide funding to community colleges for need-based tuition assistance to applicants to enable completion of continuing education certificate training programs for in-demand occupations.

Sec. 81. NEW SECTION. 260I.3 Applicants for tuition assistance — eligibility criteria.

1. The department of education, in consultation with the department of economic development, shall adopt rules pursuant to this chapter defining eligibility criteria for persons applying to receive tuition assistance under this chapter.

2. Eligibility for tuition assistance under this chapter shall be based on financial need. Criteria to be assessed in determining financial need shall include but is not limited to:

a. The applicant’s family income for the twelve months prior to the date of application.

b. The applicant’s family size.

c. The applicant’s county of residence.

3. a. An applicant for tuition assistance under this chapter must have a demonstrated capacity to achieve the following outcomes:

(1) The ability to complete an eligible certificate program.

(2) The ability to enter a postsecondary certificate, diploma, or degree program for credit.

³ According to enrolled Act, the phrase “department of workforce development” probably intended

- (3) The ability to gain full-time employment.
- (4) The ability to maintain full-time employment over time.

b. The community college receiving the application shall only approve an applicant for tuition assistance under this chapter if the community college determines the applicant has a strong likelihood of achieving the outcomes described in paragraph “a” after considering factors including but not limited to:

- (1) Barriers that may prevent an applicant from completing the certificate program.
- (2) Barriers that may prevent an applicant from gaining employment in an in-demand occupation.

4. Applicants may be found eligible for partial or total tuition assistance.

5. Tuition assistance shall not be approved when the community college receiving the application determines that funding for an applicant’s participation in an eligible certificate program is available from any other public or private funding source.

Sec. 82. NEW SECTION. 260I.4 Applicants for tuition assistance — additional provisions.

1. An applicant for tuition assistance under this chapter shall provide to the community college receiving the application documentation of all sources of income.

2. Only an applicant eligible to work in the United States shall be approved for tuition assistance under this chapter.

3. An application shall be valid for six months from the date of signature on the application.

4. A person shall not be approved for tuition assistance under this chapter for more than one eligible certificate program.

5. Eligibility for tuition assistance under this chapter shall not be construed to guarantee enrollment in any community college certificate program.

6. Eligibility for tuition assistance under this chapter shall be limited to persons earning incomes at or below two hundred percent of the federal poverty level as defined by the most recently revised poverty income guidelines published by the United States department of health and human services.

Sec. 83. NEW SECTION. 260I.5 Eligible costs.

Costs of a certificate program eligible for coverage by tuition assistance shall include but are not limited to:

1. Tuition.
2. Direct training costs.
3. Required books and equipment.
4. Fees including but not limited to fees for industry testing services and background check testing services.

Sec. 84. NEW SECTION. 260I.6 Eligible certificate programs.

For the purposes of this chapter, “*eligible certificate program*” means a program meeting all of the following criteria:

1. The program is not offered for credit, but is aligned with a certificate, diploma, or degree for credit, and does any of the following:

- a. Offers a state, national, or locally recognized certificate.
- b. Offers preparation for a professional examination or licensure.
- c. Provides endorsement for an existing credential or license.
- d. Represents recognized skill standards defined by an industrial sector.
- e. Offers a similar credential or training.

2. The program offers training or a credential in an in-demand occupation. For the purposes of this chapter, “*in-demand occupation*” includes occupations in the following industries:

- a. Information technology.
- b. Health care.
- c. Advanced manufacturing.
- d. Transportation and logistics.

e. Any other industry designated as in-demand by a regional advisory board established pursuant to section 84A.4.

Sec. 85. NEW SECTION. 260I.7 Initial assessment.

An applicant for tuition assistance under this chapter shall complete an initial assessment administered by the community college receiving the application to determine the applicant's readiness to complete an eligible certificate program. The assessment shall include assessments for completion of a national career readiness certificate, including the areas of reading for information, applied mathematics, and locating information. An applicant must achieve a bronze-level certificate or the minimum score required for an eligible certificate program, whichever is higher, in order to be approved for tuition assistance. An applicant shall complete any additional assessments and occupational research required by an eligible certificate program.

Sec. 86. NEW SECTION. 260I.8 Program interview.

An applicant for tuition assistance under this chapter shall meet with a member of the staff for an eligible certificate program offered by the community college receiving the application. The staff member shall discuss the relevant industry, any applicable occupational research, and any applicable training relating to the eligible certificate program. The discussion shall include an evaluation of the applicant's capabilities, needs, family situation, work history, educational background, attitude and motivation, employment skills, vocational potential, and employment barriers. The discussion shall also include potential start dates, support needs, and other requirements for an eligible certificate program.

Sec. 87. NEW SECTION. 260I.9 Participation requirements.

1. A participant in an eligible certificate program who receives tuition assistance pursuant to this chapter shall do all of the following:

a. Maintain regular contact with staff members for the certificate program to document the applicant's progress in the program.

b. Sign a release form to provide relevant information to community college faculty or case managers.

c. Discuss with staff members for the certificate program any issues that may impact the participant's ability to complete the certificate program, obtain employment, and maintain employment over time.

d. Attend all required courses regularly.

e. Meet with staff members for the certificate program to develop a job search plan.

2. A community college may terminate tuition assistance for a participant who fails to meet the requirements of this section.

Sec. 88. NEW SECTION. 260I.10 Oversight.

1. The department of education, in coordination with the community colleges, shall establish a steering committee. The steering committee shall determine if the performance measures of the gap tuition assistance program are being met and shall take necessary steps to correct any deficiencies. The steering committee shall meet at least quarterly to evaluate and monitor the performance of the gap tuition assistance program.

2. The department of education, in coordination with the community colleges, shall develop a common intake tracking system that shall be implemented consistently by each participating community college.

3. The department of education shall coordinate statewide oversight, evaluation, and reporting efforts for the gap tuition assistance program.

Sec. 89. NEW SECTION. 260I.11 Rules.

The department of education, in consultation with the department of economic development and the community colleges, shall adopt rules pursuant to chapter 17A and this chapter to implement the provisions of this chapter.

DIVISION V
ORGANIZATIONS REPRESENTING SCHOOL BOARDS,
MEMBERS, AND ADMINISTRATORS

**Sec. 90. Section 279.38, Code 2011, is amended by striking the section and inserting in lieu thereof the following:*

279.38 Membership in organizations — requirements.

1. As used in this section:

a. “Compensation” means the same as defined in section 8F.2, subsection 2.

b. “Organization” means a local, state, regional, or national organization which relates to the functions of the board of directors of a school district or to the administrators of a school district and to which a school board pays monetary fees for products or services or annual dues in accordance with subsection 2. “Organization” includes a related for-profit or not-for-profit subsidiary of an organization.

2. a. The board of directors of a school district, the duly elected members of the school board, and designated administrators of school districts may join or participate in organizations, including but not limited to organizations such as the Iowa association of school boards, the urban education network, Iowa school finance information services, and the school administrators of Iowa. The school board may pay out of funds available to the school board reasonable monetary fees for products or services or annual dues for membership of the school board, or a board member or administrator, in such an organization. Such an organization that receives fees or dues for membership from a school board shall be considered a taxpayer-funded organization.

b. Each school board that pays monetary fees or annual dues to an organization shall annually report to the local community and to the department of education the amount paid in annual dues, fees, or assessments for products or services received from the organization, and the total amount of any revenue or dividend payments received from the organization. The information shall be submitted to the department electronically in the format specified by the department.

3. The financial condition and transactions of an organization shall be audited as provided in section 11.6. The organization shall establish an audit committee to review the financial condition and transactions of the organization and the report of examination conducted in accordance with this subsection. The auditor conducting an examination in accordance with this subsection shall have full access to the audit committee and to all of the organization’s records, reports, audits, tax reports, and all other documents and papers issued or maintained by the organization.

4. An organization shall do all of the following:

a. Publish annually on its internet site, and in a report submitted annually to the department of education, the standing committees on government oversight, and the general assembly, all of the following:

(1) A listing of the school districts that pay fees or dues for membership in the organization and the moneys paid by each school district.

(2) The total revenue the organization receives from each school district resulting from the payment of monetary fees or annual dues, and the total net profit from the sale of products and services to the school district by the organization.

(3) An accounting, broken down by individual employee, of the total amount of moneys expended for reimbursement of expenses incurred by and compensation paid to each of the ten highest paid employees of the organization as evidenced by the tax forms submitted by the organization to the internal revenue service.

(4) An accounting of all moneys expended for reimbursement of expenses incurred by and compensation paid to all legislative representatives and lobbyists of the organization.

b. Submit to the general assembly and the standing committees on government oversight copies of all reports the organization provides to the United States department of education relating to federal grants and grant amounts that the organization administers or distributes to school districts.

* Item veto; see message at end of the Act

c. Provide education and training to the organization's board members in the fiduciary duties and legal responsibilities of members.

5. An organization shall not pay an employee or officer of the organization, a member of the organization's governing board, or a legislative representative or lobbyist for the organization, a bonus or other consideration of any type which is in addition to compensation paid and published and reported as required by subsection 4. In addition, the organization shall not allow any other entity to pay an employee or officer of the organization, a member of the organization's governing board, or a legislative representative or lobbyist for the organization for services performed on behalf of the organization. However, the organization may pay an employee a commission if the terms for paying the commission are in writing under an agreement which is a public document and the employee's compensation, which shall list the amount of the commission, is published and reported in the same manner as provided in subsection 4.

6. a. A person who serves as the head of an organization or otherwise serves in a supervisory capacity within the organization shall not require an employee of the organization to inform the person that the employee made a disclosure of information permitted by this subsection and shall not prohibit an employee of the organization from disclosing any information to a member of the governing board or to any public official, a law enforcement agency, a state agency, the auditor of state or an auditor conducting an examination of the organization in accordance with section 11.6, the office of the attorney general, the office of citizens' aide, or to a committee of the general assembly if the employee reasonably believes the information evidences a violation of law or rule, mismanagement, a gross abuse of funds, an abuse of authority, or a substantial and specific danger to public health or safety. However, an employee may be required to inform the person that the employee made a disclosure of information permitted by this subsection if the employee represented that the disclosure was the official position of the employee's immediate supervisor or employer.

b. A person shall not discharge an employee from or take or fail to take action regarding an employee's appointment or proposed appointment to, promotion or proposed promotion to, or any advantage in, a position administered by, or subject to approval of, the person or the organization's governing board as a reprisal for a failure by that employee to inform the person that the employee made a disclosure of information permitted by this subsection, or for a disclosure of any information by that employee authorized under paragraph "a" if the employee reasonably believes the information evidences a violation of law or rule, mismanagement, a gross abuse of funds, an abuse of authority, or a substantial and specific danger to public health or safety. However, an employee may be required to inform the person that the employee made a disclosure of information permitted by this subsection if the employee represented that the disclosure was the official position of the employee's immediate supervisor or employer.

c. Paragraphs "a" and "b" do not apply if the disclosure of the information is prohibited by statute.

d. A person who violates paragraph "a" or "b" commits a simple misdemeanor.

e. Paragraph "b" may be enforced through a civil action.

(1) A person who violates paragraph "b" is liable to an aggrieved employee for affirmative relief including reinstatement, with or without back pay, or any other equitable relief the court deems appropriate, including attorney fees and costs.

(2) When a person commits, is committing, or proposes to commit an act in violation of paragraph "b", an injunction may be granted through an action in district court to prohibit the person from continuing such acts. The action for injunctive relief may be brought by an aggrieved employee or the attorney general.

f. A person shall not discharge an employee from or take or fail to take action regarding an employee's appointment or proposed appointment to, promotion or proposed promotion to, or any advantage in, a position administered by, or subject to approval of, the person or the organization's governing board as a reprisal for the employee's declining to participate in contributions or donations to charities or community organizations.

g. The person and the organization's governing board shall provide procedures for notifying the organization's new employees of the provisions of this subsection and shall periodically

conduct promotional campaigns to provide similar information to the organization's employees. The information shall include the toll-free telephone number of the citizens' aide.

7. a. Except as otherwise provided in paragraph "b", all meetings of the governing board of the organization shall comply with the requirements of chapter 21 and all records of the governing board and the organization shall be maintained in accordance with chapter 22.

b. The governing board of the organization may keep the following records confidential and the governing board may hold a closed session meeting to discuss the following matters:

(1) Personal information in confidential personnel records maintained by the governing board of the organization and required or authorized to be kept confidential by law.

(2) Discussions with, or the work product of, an attorney of the governing board of the organization required or authorized to be kept confidential by law.

(3) Pricing, product, service, business strategy, or marketing information which if released, would give an advantage to competitors, vendors, or other parties and that serve no public purpose.*

Sec. 91. REPEAL. Section 279.38A, Code 2011, is repealed.

Sec. 92. EFFECTIVE UPON ENACTMENT AND RETROACTIVE APPLICABILITY. This division of this Act, being deemed of immediate importance, takes effect upon enactment, and if approved by the governor on or after July 1, 2011, shall apply retroactively to June 30, 2011.

DIVISION VI SCHOOL EMPLOYEE MISCONDUCT

Sec. 93. Section 272.2, subsection 1, paragraph b, Code 2011, is amended by striking the paragraph and inserting in lieu thereof the following:

b. Provide annually to any person who holds a license, certificate, authorization, or statement of recognition issued by the board, training relating to the knowledge and understanding of the board's code of professional conduct and ethics. The board shall develop a curriculum that addresses the code of professional conduct and ethics and shall annually provide regional training opportunities throughout the state.

Sec. 94. Section 272.15, subsection 1, Code 2011, is amended to read as follows:

1. a. The board of directors of a school district or area education agency, the superintendent of a school district or the chief administrator of an area education agency, and the authorities in charge of a nonpublic school shall report to the board the nonrenewal or termination, for reasons of alleged or actual misconduct, of a person's contract executed under sections 279.12, 279.13, 279.15 through 279.21, 279.23, and 279.24, and the resignation of a person who holds a license, certificate, or authorization issued by the board as a result of or following an incident or allegation of misconduct that, if proven, would constitute a violation of the rules adopted by the board to implement section 272.2, subsection 14, paragraph "b", subparagraph (1), when the board or reporting official has a good faith belief that the incident occurred or the allegation is true. The board may deny a license or revoke the license of an administrator if the board finds by a preponderance of the evidence that the administrator failed to report the termination or resignation of a school employee holding a license, certificate, statement of professional recognition, or coaching authorization, for reasons of alleged or actual misconduct, as defined by this section.

b. Information reported to the board in accordance with this section is privileged and confidential, and except as provided in section 272.13, is not subject to discovery, subpoena, or other means of legal compulsion for its release to a person other than the respondent and the board and its employees and agents involved in licensee discipline, and is not admissible in evidence in a judicial or administrative proceeding other than the proceeding involving licensee discipline. The board shall review the information reported to determine whether a complaint should be initiated. In making that determination, the board shall consider the factors enumerated in section 272.2, subsection 14, paragraph "a".

* Item veto; see message at end of the Act

c. For purposes of this section, unless the context otherwise requires, "misconduct" means an action disqualifying an applicant for a license or causing the license of a person to be revoked or suspended in accordance with the rules adopted by the board to implement section 272.2, subsection 14, paragraph "b", subparagraph (1).

Sec. 95. Section 280.17, Code 2011, is amended to read as follows:

280.17 Procedures for handling child abuse reports.

1. The board of directors of a public school district and the authorities in control charge of a nonpublic school shall prescribe procedures, in accordance with the guidelines contained in the model policy developed by the department of education in consultation with the department of human services, and adopted by the department of education pursuant to chapter 17A, for the handling of reports of child abuse, as defined in section 232.68, subsection 2, paragraph "a", "c", or "e", alleged to have been committed by an employee or agent of the public or nonpublic school.

2. a. The board of directors of a school district and the authorities in charge of an accredited nonpublic school shall place on administrative leave a school employee who is the subject of an investigation of an alleged incident of abuse of a student conducted in accordance with 281 IAC 102.

b. If the results of an investigation of abuse of a student by a school employee who holds a license, certificate, authorization, or statement of recognition issued by the board of educational examiners finds that the school employee's conduct constitutes a crime under any other statute, the board or the authorities, as appropriate, shall report the results of the investigation to the board of educational examiners.

Sec. 96. Section 280.27, Code 2011, is amended to read as follows:

280.27 Reporting violence — immunity.

An employee of a school district, an accredited nonpublic school, or an area education agency who participates in good faith and acts reasonably in the making of a report to, or investigation by, an appropriate person or agency regarding violence, threats of violence, physical or sexual abuse of a student, or other inappropriate activity against a school employee or student in a school building, on school grounds, or at a school-sponsored function shall be immune from civil or criminal liability relating to such action, as well as for participating in any administrative or judicial proceeding resulting from or relating to the report or investigation.

DIVISION VII
FY 2012-2013

DEPARTMENT FOR THE BLIND

Sec. 97. ADMINISTRATION. There is appropriated from the general fund of the state to the department for the blind for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	845,908
.....	FTEs	88.00

2. For costs associated with universal access to audio information over the phone on demand for blind and print handicapped Iowans:

.....	\$	25,000
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COLLEGE STUDENT AID COMMISSION

Sec. 98. There is appropriated from the general fund of the state to the college student aid commission for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 116,472
 FTEs 3.95

2. STUDENT AID PROGRAMS

For payments to students for the Iowa grant program established in section 261.93:

..... \$ 395,589

3. DES MOINES UNIVERSITY — HEALTH CARE PROFESSIONAL RECRUITMENT PROGRAM

For forgivable loans to Iowa students attending Des Moines university — osteopathic medical center under the forgivable loan program pursuant to section 261.19:

..... \$ 162,987

4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM

For purposes of providing national guard educational assistance under the program established in section 261.86:

..... \$ 1,593,117

5. TEACHER SHORTAGE LOAN FORGIVENESS PROGRAM

For the teacher shortage loan forgiveness program established in section 261.112:

..... \$ 196,226

6. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM

For purposes of the all Iowa opportunity foster care grant program established pursuant to section 261.6:

..... \$ 277,029

7. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM

a. For purposes of the all Iowa opportunity scholarship program established pursuant to section 261.87:

..... \$ 1,120,427

b. If the moneys appropriated by the general assembly to the college student aid commission for fiscal year 2012-2013 for purposes of the all Iowa opportunity scholarship program exceed \$500,000, “eligible institution” as defined in section 261.87, shall, during fiscal year 2012-2013, include accredited private institutions as defined in section 261.9, subsection 1.

8. REGISTERED NURSE AND NURSE EDUCATOR LOAN FORGIVENESS PROGRAM

a. For purposes of the registered nurse and nurse educator loan forgiveness program established pursuant to section 261.23:

..... \$ 40,426

b. It is the intent of the general assembly that the commission continue to consider moneys allocated pursuant to this subsection as moneys that meet the state matching funds requirements of the federal leveraging educational assistance program and the federal supplemental leveraging educational assistance program established under the Higher Education Act of 1965, as amended.

9. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION GRANT PROGRAM

For purposes of the barber and cosmetology arts and sciences tuition grant program established pursuant to section 261.18:

..... \$ 18,469

Sec. 99. IOWA TUITION AND VOCATIONAL-TECHNICAL TUITION GRANT APPROPRIATIONS FOR FY 2012-2013. Notwithstanding the standing appropriations in the following designated sections for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the amounts appropriated from the general fund of the state to the college student aid commission pursuant to these sections for the following designated purposes shall not exceed the following amounts:

1. For Iowa tuition grants under section 261.25, subsection 1:

..... \$ 21,756,724

2. For tuition grants for students attending for-profit accredited private institutions located in Iowa under section 261.25, subsection 2:

..... \$ 2,000,000

3. For vocational-technical tuition grants under section 261.25, subsection 3:
 \$ 1,125,093

Sec. 100. CHIROPRACTIC LOAN FUNDS. Notwithstanding section 261.72, the moneys deposited in the chiropractic loan revolving fund created pursuant to section 261.72 may be used for purposes of the chiropractic loan forgiveness program established in section 261.73.

Sec. 101. WORK-STUDY APPROPRIATION FOR FY 2012-2013. Notwithstanding section 261.85, for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the amount appropriated from the general fund of the state to the college student aid commission for the work-study program under section 261.85 shall be zero.

DEPARTMENT OF EDUCATION

Sec. 102. There is appropriated from the general fund of the state to the department of education for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. GENERAL ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,956,906
 FTEs 81.67

2. VOCATIONAL EDUCATION ADMINISTRATION

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 224,638
 FTEs 11.50

3. VOCATIONAL REHABILITATION SERVICES DIVISION

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 2,481,584
 FTEs 255.00

b. For matching funds for programs to enable persons with severe physical or mental disabilities to function more independently, including salaries and support, and for not more than the following full-time equivalent position:

..... \$ 19,564
 FTEs 1.00

c. For the entrepreneurs with disabilities program established pursuant to section 259.4, subsection 9:

..... \$ 72,768

d. For costs associated with centers for independent living:

..... \$ 20,147

4. STATE LIBRARY

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 604,810
 FTEs 17.00

b. For the enrich Iowa program established under section 256.57:

..... \$ 837,114

5. LIBRARY SERVICE AREA SYSTEM

For state aid:

..... \$ 502,722

6. PUBLIC BROADCASTING DIVISION

For salaries, support, maintenance, capital expenditures, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 3,327,011
 FTEs 82.00

7. REGIONAL TELECOMMUNICATIONS COUNCILS

For state aid:

..... \$ 496,457

The regional telecommunications councils established in section 8D.5 shall use the moneys appropriated in this subsection to provide technical assistance for network classrooms, planning and troubleshooting for local area networks, scheduling of video sites, and other related support activities.

8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS

For reimbursement for vocational education expenditures made by secondary schools:

..... \$ 1,315,067

Moneys appropriated in this subsection shall be used to reimburse school districts for vocational education expenditures made by secondary schools to meet the standards set in sections 256.11, 258.4, and 260C.14.

9. SCHOOL FOOD SERVICE

For use as state matching funds for federal programs that shall be disbursed according to federal regulations, including salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,088,399
..... FTEs 20.58

10. EARLY CHILDHOOD IOWA FUND — GENERAL AID

For deposit in the school ready children grants account of the early childhood Iowa fund created in section 256I.11:

..... \$ 2,693,057

a. From the moneys deposited in the school ready children grants account for the fiscal year beginning July 1, 2012, and ending June 30, 2013, not more than \$265,950 is allocated for the early childhood Iowa office and other technical assistance activities. The early childhood Iowa state board shall direct staff to work with the early childhood stakeholders alliance created in section 256I.12 to inventory technical assistance needs. Moneys allocated under this lettered paragraph may be used by the early childhood Iowa state board for the purpose of skills development and support for ongoing training of staff. However, except as otherwise provided in this subsection, moneys shall not be used for additional staff or for the reimbursement of staff.

b. As a condition of receiving moneys appropriated in this subsection, each early childhood Iowa area board shall report to the early childhood Iowa state board progress on each of the local indicators approved by the area board. Each early childhood Iowa area board must also submit an annual budget for the area’s comprehensive school ready children grant developed for providing services for children from birth through five years of age, and provide other information specified by the early childhood Iowa state board, including budget amendments as needed. The early childhood Iowa state board shall establish a submission deadline for the annual budget and any budget amendments that allow a reasonable period of time for preparation by the early childhood Iowa area boards and for review and approval or request for modification of the materials by the early childhood Iowa state board. In addition, each early childhood Iowa area board must continue to comply with reporting provisions and other requirements adopted by the early childhood Iowa state board in implementing section 256I.9.

c. Of the amount appropriated in this subsection for deposit in the school ready children grants account of the early childhood Iowa fund, \$2,318,018 shall be used for efforts to improve the quality of early care, health, and education programs. Moneys allocated pursuant to this paragraph may be used for additional staff and for the reimbursement of staff. The early childhood Iowa state board may reserve a portion of the allocation, not to exceed \$88,650, for the technical assistance expenses of the early childhood Iowa state office, including the reimbursement of staff, and shall distribute the remainder to early childhood Iowa areas for local quality improvement efforts through a methodology identified by the early childhood Iowa state board to make the most productive use of the funding, which may include use of the distribution formula, grants, or other means.

d. Of the amount appropriated in this subsection for deposit in the school ready children grants account of the early childhood Iowa fund, \$825,030 shall be used for support of professional development and training activities for persons working in early care, health, and education by the early childhood Iowa state board in collaboration with the professional

development component group of the early childhood Iowa stakeholders alliance maintained pursuant to section 256I.12, subsection 7, paragraph “b”, and the early childhood Iowa area boards. Expenditures shall be limited to professional development and training activities agreed upon by the parties participating in the collaboration.

11. EARLY CHILDHOOD IOWA FUND — PRESCHOOL TUITION ASSISTANCE

a. For deposit in the school ready children grants account of the early childhood Iowa fund created in section 256I.11:

..... \$ 2,714,439

b. The amount appropriated in this subsection shall be used for early care, health, and education programs to assist low-income parents with tuition for preschool and other supportive services for children ages three, four, and five who are not attending kindergarten in order to increase the basic family income eligibility requirement to not more than 200 percent of the federal poverty level. In addition, if sufficient funding is available after addressing the needs of those who meet the basic income eligibility requirement, an early childhood Iowa area board may provide for eligibility for those with a family income in excess of the basic income eligibility requirement through use of a sliding scale or other copayment provisions.

12. EARLY CHILDHOOD IOWA FUND — FAMILY SUPPORT AND PARENT EDUCATION

a. For deposit in the school ready children grants account of the early childhood Iowa fund created in section 256I.11:

..... \$ 6,182,217

b. The amount appropriated in this subsection shall be used for family support services and parent education programs targeted to families expecting a child or with newborn and infant children through age five and shall be distributed using the distribution formula approved by the early childhood Iowa state board and shall be used by an early childhood Iowa area board only for family support services and parent education programs targeted to families expecting a child or with newborn and infant children through age five.

13. BIRTH TO AGE THREE SERVICES

For expansion of the federal Individuals with Disabilities Education Improvement Act of 2004, Pub. L. No. 108-446, as amended to January 1, 2012, birth through age three services due to increased numbers of children qualifying for those services:

..... \$ 860,700

From the moneys appropriated in this subsection, \$383,769 shall be allocated to the child health specialty clinic at the state university of Iowa to provide additional support for infants and toddlers who are born prematurely, drug-exposed, or medically fragile.

14. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS

To provide moneys for costs of providing textbooks to each resident pupil who attends a nonpublic school as authorized by section 301.1:

..... \$ 280,107

Funding under this subsection is limited to \$20 per pupil and shall not exceed the comparable services offered to resident public school pupils.

15. CORE CURRICULUM AND CAREER INFORMATION AND DECISION-MAKING SYSTEM

For purposes of implementing the statewide core curriculum for school districts and accredited nonpublic schools and a state-designated career information and decision-making system:

..... \$ 500,000

16. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM

For purposes of the student achievement and teacher quality program established pursuant to chapter 284, and for not more than the following full-time equivalent positions:

..... \$ 2,392,500

..... FTEs 2.00

17. JOBS FOR AMERICA'S GRADUATES

For school districts to provide direct services to the most at-risk senior high school students enrolled in school districts through direct intervention by a jobs for America’s graduates specialist:

..... \$ 20,000

18. COMMUNITY COLLEGES

a. For general state financial aid to merged areas as defined in section 260C.2 in accordance with chapters 258 and 260C:

..... \$ 81,887,324

The funds appropriated in this subsection shall be allocated pursuant to the formula established in section 206C.18C.

b. For distribution to community colleges to supplement faculty salaries:

..... \$ 250,000

c. For deposit in the workforce training and economic development funds created pursuant to section 260C.18A:

..... \$ 2,500,000

STATE BOARD OF REGENTS

Sec. 103. There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. OFFICE OF STATE BOARD OF REGENTS

a. For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 532,503

..... FTEs 15.00

The state board of regents shall submit a monthly financial report in a format agreed upon by the state board of regents office and the legislative services agency.

b. For moneys to be allocated to the southwest Iowa graduate studies center:

..... \$ 43,736

c. For moneys to be allocated to the siouxland interstate metropolitan planning council for the tristate graduate center under section 262.9, subsection 22:

..... \$ 33,301

d. For moneys to be allocated to the quad-cities graduate studies center:

..... \$ 64,888

e. For moneys to be distributed to Iowa public radio for public radio operations:

..... \$ 195,784

2. STATE UNIVERSITY OF IOWA

a. General university, including lakeside laboratory

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 104,868,656

..... FTEs 5,058.55

b. Oakdale campus

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,093,279

..... FTEs 38.25

c. State hygienic laboratory

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

..... \$ 1,768,358

..... FTEs 102.50

d. Family practice program

For allocation by the dean of the college of medicine, with approval of the advisory board, to qualified participants to carry out the provisions of chapter 148D for the family practice program, including salaries and support, and for not more than the following full-time equivalent positions:

..... \$ 894,133

..... FTEs 190.40

e. Child health care services

For specialized child health care services, including childhood cancer diagnostic and treatment network programs, rural comprehensive care for hemophilia patients, and the Iowa high-risk infant follow-up program, including salaries and support, and for not more than the following full-time equivalent positions:

.....	\$	329,728
.....	FTEs	57.97

f. Statewide cancer registry

For the statewide cancer registry, and for not more than the following full-time equivalent positions:

.....	\$	74,526
.....	FTEs	2.10

g. Substance abuse consortium

For moneys to be allocated to the Iowa consortium for substance abuse research and evaluation, and for not more than the following full-time equivalent position:

.....	\$	27,765
.....	FTEs	1.00

h. Center for biocatalysis

For the center for biocatalysis, and for not more than the following full-time equivalent positions:

.....	\$	361,864
.....	FTEs	6.28

i. Primary health care initiative

For the primary health care initiative in the college of medicine, and for not more than the following full-time equivalent positions:

.....	\$	324,465
.....	FTEs	5.89

From the moneys appropriated in this lettered paragraph, \$254,889 shall be allocated to the department of family practice at the state university of Iowa college of medicine for family practice faculty and support staff.

j. Birth defects registry

For the birth defects registry, and for not more than the following full-time equivalent position:

.....	\$	19,144
.....	FTEs	1.00

k. Larned A. Waterman Iowa nonprofit resource center

For the Larned A. Waterman Iowa nonprofit resource center, and for not more than the following full-time equivalent positions:

.....	\$	81,270
.....	FTEs	2.75

l. Iowa online advanced placement academy science, technology, engineering, and mathematics initiative

For the establishment of the Iowa online advanced placement academy science, technology, engineering, and mathematics initiative:

.....	\$	240,925
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3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY

a. General university

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	82,172,599
.....	FTEs	3,647.42

b. Agricultural experiment station

For the agricultural experiment station salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	14,055,939
.....	FTEs	546.98

c. Cooperative extension service in agriculture and home economics

For the cooperative extension service in agriculture and home economics salaries,

support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	8,968,361
.....	FTEs	383.34

d. Leopold center

For agricultural research grants at Iowa state university of science and technology under section 266.39B, and for not more than the following full-time equivalent positions:

.....	\$	198,709
.....	FTEs	11.25

e. Livestock disease research

For deposit in and the use of the livestock disease research fund under section 267.8:

.....	\$	86,423
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4. UNIVERSITY OF NORTHERN IOWA

a. General university

For salaries, support, maintenance, equipment, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	37,367,293
.....	FTEs	1,447.50

b. Recycling and reuse center

For purposes of the recycling and reuse center, and for not more than the following full-time equivalent positions:

.....	\$	87,628
.....	FTEs	3.00

c. Science, technology, engineering, and mathematics (STEM) collaborative initiative

For purposes of establishing a science, technology, engineering, and mathematics (STEM) collaborative initiative, and for not more than the following full-time equivalent positions:

.....	\$	867,328
.....	FTEs	6.20

(1) From the moneys appropriated in this lettered paragraph, up to \$282,000 shall be allocated for salaries, staffing, and institutional support. The remainder of the moneys appropriated in this lettered paragraph shall be expended only to support activities directly related to recruitment of kindergarten through grade 12 mathematics and science teachers and for ongoing mathematics and science programming for students enrolled in kindergarten through grade 12.

(2) The university of northern Iowa shall work with the community colleges to develop STEM professional development programs for community college instructors and STEM curriculum development.

d. Real estate education program

For purposes of the real estate education program, and for not more than the following full-time equivalent position:

.....	\$	62,651
.....	FTEs	1.00

5. STATE SCHOOL FOR THE DEAF

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	4,339,982
.....	FTEs	126.60

6. IOWA BRAILLE AND SIGHT SAVING SCHOOL

For salaries, support, maintenance, miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	1,809,466
.....	FTEs	62.87

7. TUITION AND TRANSPORTATION COSTS

For payment to local school boards for the tuition and transportation costs of students residing in the Iowa braille and sight saving school and the state school for the deaf pursuant to section 262.43 and for payment of certain clothing, prescription, and transportation costs for students at these schools pursuant to section 270.5:

..... \$ 5,882

8. LICENSED CLASSROOM TEACHERS

For distribution at the Iowa braille and sight saving school and the Iowa school for the deaf based upon the average yearly enrollment at each school as determined by the state board of regents:

..... \$ 41,025

Sec. 104. ENERGY COST-SAVINGS PROJECTS — FINANCING. For the fiscal year beginning July 1, 2012, and ending June 30, 2013, the state board of regents may use notes, bonds, or other evidences of indebtedness issued under section 262.48 to finance projects that will result in energy cost savings in an amount that will cause the state board to recover the cost of the projects within an average of six years.

Sec. 105. PRESCRIPTION DRUG COSTS. Notwithstanding section 270.7, the department of administrative services shall pay the state school for the deaf and the Iowa braille and sight saving school the moneys collected from the counties during the fiscal year beginning July 1, 2012, for expenses relating to prescription drug costs for students attending the state school for the deaf and the Iowa braille and sight saving school.

DIVISION VIII
CONDITIONAL EFFECTIVE DATE AND RETROACTIVE APPLICABILITY

Sec. 106. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY. Unless otherwise provided, this Act, if approved by the governor on or after July 1, 2011, takes effect upon enactment and applies retroactively to July 1, 2011.

Approved July 27, 2011, with exceptions noted.

TERRY E. BRANSTAD, Governor

Dear Mr. Secretary:

I hereby transmit House File 645, an Act relating to the funding of, the operation of, and appropriation of moneys to the College Student Aid Commission, the Department for the Blind, the Department of Education, and the state Board of Regents, and providing for related matters and for effective date, applicability provisions and retroactive applicability provisions.

House File 645 is approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve of the items designated as Sections 90, 91 and 92, in their entirety. These items comprise Division V which would impose additional requirements on local, state, regional, or national organizations which relate to the functions of the board of directors of a school district, or to the administrators of a school district and to which a school board pays monetary fees for products or services or annual dues to the organization. I support transparency and accountability for how taxpayer dollars are spent. However, this language is overly broad, lacks clarity, and may have unintended consequences. I am concerned this language will not operate in practice in the way it may have been intended. The language in Division V is overly inclusive and could encompass privately owned, for-profit companies that sell goods or services to a school district.

For the above reasons, I respectfully disapprove the designated items in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in House File 645 are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD, *Governor*